

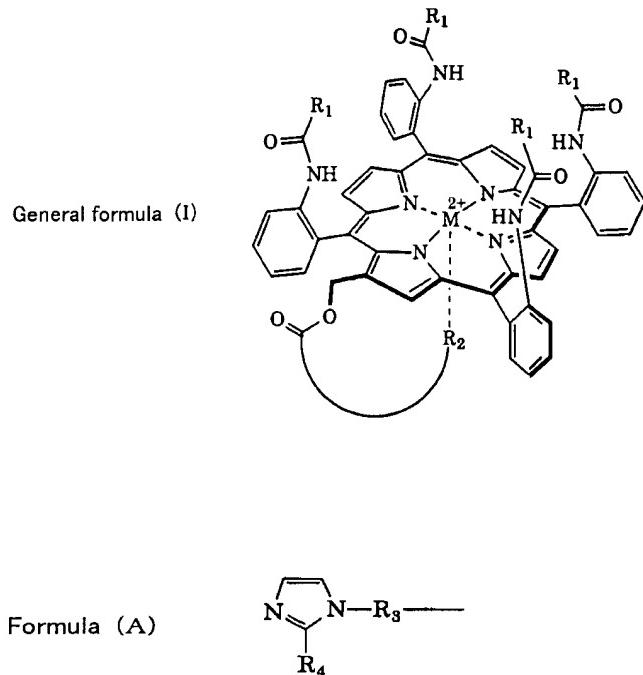
REMARKS

The Applicants thank the Examiner for the due consideration given the present application. Claims 1-4 are pending in the present application.

The Examiner requires an election of species for the claimed invention represented by the general formula (I) where R1 is a chain or alicyclic groups, R2 is a basic axial ligand, and M is a transition metal ion of groups four and five of the periodic table of elements.

Applicants elect the species directed to a compound of a porphyrin metal complex, i.e., 2-(8-[N-(2-methylimidazolyl)]-octanoyloxymethyl)-5, 10, 15, 20-tetrakis-($\alpha,\alpha,\alpha,\alpha$ -o-(1-methyl cyclohexanoyl) aminophenyl) porphyrin iron (II) complex. This complex is expressed by the general formula (I), in which R1 is cyclohexanoyl, R2 is a basic axial ligand expressed by the formula (A) in which R3 is $-C_5H_{10}-$ and R₄ is CH₃, and M is Fe.

A typical embodiment of the present invention can be found in Example 2 of the specification, i.e., 2-(8-(1-imidazolyl) octanoyloxymethyl)-5, 10, 15, 20-tetrakis-($\alpha,\alpha,\alpha,\alpha$ -o-(1-methyl cyclohexanoyl) aminophenyl)porphyrin iron (II) complex, which may be expressed by the general formula (I), in which R1 is cyclohexanoyl, R2 is a basic axial ligand expressed by the formula (A) in which R3 is $-C_5H_{10}-$ and R₄ is H, and M is Fe, which is formulated as set forth below:



The elected species is encompassed by claims 1, 2 and 3. The election is with traverse.

As set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination can be made without serious burden. Traversal is proper because the search and examination of one species will encompass the other species so that no undue burden is placed upon the Examiner. Alternately, upon allowance of a generic claim, the Examiner is respectfully requested to consider claims of additional species that include all of the limitations of the allowed generic claim as provided by 37 C.F.R. 1.141.

Examiner on the merits is respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: September 28, 2005

Respectfully submitted,



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